

NEWS

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Newark's Municipal Council President,
A Council Past-President, And Former East Orange
Councilman Indicted In Connection With
Alleged Bribes For Towing Contracts

(More)

Despite objections from Mayor James

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NEWARK — The City of Newark's Municipal Council president; a Newark Municipal Council past-president who continues to serve as a councilman-at-large; and a former East Orange councilman who unsuccessfully ran for mayor of East Orange in 1993 have been charged in federal Indictments with conspiracy, bribery, extortion, and mail fraud alleging that bribes were taken and solicited in connection with a towing company's efforts to obtain towing contracts with both cities, U.S. Attorney Michael Chertoff announced.

Charged in a nine-count Indictment, returned Feb. 7th by a Newark Federal Grand Jury and unsealed today, were:

f Gary Harris, 40 (DOB 1953-09-23), of 18 Synott Place, Newark, who has been president of Newark's City Council since July 1, 1993. Gary Harris has been an elected Newark City councilman-at-large since 1989, following an appointment to succeed his late father, Councilman Earl Harris, who died in 1988. Gary Harris was also the chairman of the City Council's Towing Committee from approximately 1991 until he became City Council president, according to the Indictment in which he and Ralph T. Grant Jr. (see below) are charged. Harris, who is charged in five counts of the Indictment, faces a theoretical maximum, if convicted, of 60 years in federal prison and more than \$1.25 million in fines; and

Ralph T. Grant Jr., 58 (DOB 1935-08-15), of 29 Wilbur Ave., Newark, who is a past President of Newark's City Council and has continuously served as a Newark City Council councilman-at-large since 1978. Grant is charged in six counts of the Indictment. If convicted on all counts, Grant faces a theoretical maximum of 65 years in federal prison and more than \$1.5 million in fines.

Under U.S. Sentencing Guidelines, U.S. District Judge John C. Lifland, to whom both Indictments are assigned, would — upon conviction — determine the actual sentence based upon a complicated formula that takes into account the severity and characteristics of the offense, and the defendant's criminal history, if any, Chertoff said.

Parole, however, has been abolished in the federal system. Under Sentencing Guidelines, defendants that are given custodial terms must serve nearly all that time, Chertoff explained.

The Indictment of Gary Harris and Ralph T. Grant Jr. alleges a conspiracy relating to efforts to obtain a police towing contract with the City of Newark and includes charges of Conspiracy, Extortion, Mail Fraud, Interstate Travel in Aid of Racketeering, Conspiracy To Affect Commerce By Extortion and Bribery Concerning Programs Receiving Federal Funds, according to Assistant U.S. Attorney Jeffrey D. Smith.

Beginning in approximately late 1991, certain unnamed persons associated with a towing company seeking contracts with the City of Newark met with Harris and later with Grant to obtain their support, according to the Indictment.

During a number of meetings in 1992, many of which were recorded, cash bribes were given to Harris and Grant by representatives of the towing company in return for Harris's and Grant's efforts on behalf of the towing company in its attempt to obtain a police towing contract with the City of Newark, the Indictment states.

During one June 1992 meeting Harris accepted \$12,000 in cash in his City Hall office; and during a late-1992 meeting Grant accepted \$13,000 in cash, which was to be paid as bribes to six members of the Newark Zoning Board of Adjustment and to another Newark City councilman to assist the towing company in obtaining a zoning variance for its proposed tow yard, the Indictment states.

Harris is charged with accepting \$18,500 in bribes during 1992, while Grant is charged with accepting \$25,000 in bribes during 1992 and 1993, including a May 1993 trip to Florida paid for by a representative of the towing company.

Charged in the second, three-count Indictment, also returned Monday, Feb. 7th by a Newark Federal Grand Jury and unsealed today, were Grant and:

Ralph Harris, 52 (DOB 1941-08-07), of 23 Madison Ave., East Orange, an East Orange city councilman until his term expired at the end of 1993. Harris was an unsuccessful candidate for mayor

of East Orange in the June 1993 Democratic Party primary election against current Mayor Cardell Cooper. Harris is charged in all three counts of the Indictment and, if convicted on all counts, faces a theoretical maximum of 35 years in federal prison and more than \$750,000 in fines; and

In this Indictment Grant is charged in two counts of the Indictment and, if convicted on all counts, faces a theoretical maximum of 25 years in federal prison and more than \$500,000 in fines.

The second Indictment alleges a conspiracy relating to efforts to obtain a police towing contract with the City of East Orange and includes charges of Conspiracy, Conspiracy To Affect Commerce By Extortion and Solicitation of Bribery Concerning Programs Receiving Federal Funds, Smith said.

Beginning in late 1992 or early 1993, unnamed persons, associated with the same towing company that was seeking Newark's police towing contract, also began efforts to obtain the East Orange police towing contract, the second Indictment states.

In May 1993, during a recorded meeting that was also attended by Grant, Harris agreed to accept a \$10,700 campaign contribution from a representative of the towing company in exchange for assisting the towing company's efforts to obtain the East Orange police towing contract, according to the Indictment.

"If the allegations in these two Indictments are proven," Chertoff said, "they demonstrate a disturbing fact, that no matter how frequently our office brings public officials to justice for abusing their positions for personal gain, others appear ready to risk similar behavior for personal enrichment."

"Rooting out official corruption and prosecuting those who are alleged to have pushed aside their public duties will continue to be the top priority of our office," Chertoff said.

The Indictments unsealed today were sealed for 15 days so that the now-concluded trial of Essex County Administrator Thomas D'Alessio and Joseph Thor could proceed without the possible influence that might have accompanied

public disclosure of the charges, Chertoff explained, noting that today's cases have been investigated by Special Agents of the FBI for more than two years.

An Indictment is a formal charge made by a grand jury, a body of 16 to 23 citizens, Chertoff noted. Grand jury proceedings are secret, and neither persons under investigation nor their attorneys have the right to be present. A grand jury may vote an Indictment if 12 or more jurors find probable cause to believe that the defendant has committed the crime or crimes charged.

Despite Indictment, every defendant is presumed innocent, unless and until found guilty beyond a reasonable doubt following a trial at which the defendant has all of the trial rights guaranteed by the U.S. Constitution and federal law.

Gary and Ralph Harris, and Grant — who were not arrested — are expected to be arraigned on the charges within the next two weeks before Judge Lifland, in Newark Federal Court, at which time bail and a trial schedule are expected to be set.

Chertoff credited Special Agents of the Federal Bureau of Investigation, under the direction of James C. Esposito, Newark special agent in charge, with developing both cases.

The Government's case is being handled by Assistant U.S. Attorney Smith, of the U.S. Attorney's Special Prosecutions Division, in Newark.

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